

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10265 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GSRTC

Versus

MANORVARMiya DILIPSINHJI RANA

Appearance:

MRS VASAVDATTA BHATT for Petitioner

MR JS BRAHMBHATT for Respondent No. 1

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 07/12/98

ORAL JUDGEMENT

Heard the learned Advocates for the parties. The Judge, Labour Court, Bharuch, by order dated 29.1.1998, in Reference (LCV) No.640 of 1998, has directed payment of backwages for the period 5.9.1989 to 21.2.1995.

2. It is contended by the learned Advocate for the petitioner that the Labour Court has committed error in

granting backwages upto 21.2.1995, considering the age of superannuation as 60 years. It is submitted that in fact, the superannuation age is 58 years. This aspect is not disputed by Mr J S Brahmbhatt, learned Advocate for respondent No.1.

3. In view of the above, this Special Civil Application is allowed and the award dated 29.1.1998 is modified to the extent that the respondent workman shall be entitled to backwages for the period from 5.9.1989 to 30.9.1993. The petitioner shall pay/deposit the amount as indicated above within a period of three months from the date of receipt of the writ. Rule made absolute.

7.12.98 [N N Mathur, J]
msp.